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09/451,167	11/30/1999	MATTI UUSIMAKI	944-001.005	8699

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EXAMINER

ABDULSELAM, ABBAS I

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 11/20/2003

21

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/451,167

Applicant(s)

UUSIMAKI, MATTI

Examiner

Abbas I Abdulsalam

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colonna et al. (USPN 6115620) in view of Kim (USPN 6397078) and Tyneski et al. (USPN 5584054).

Regarding claims 1 and 4, Colonna teaches about a portable communication device (100), hinge assembly (214), first housing element (202), and second housing element (204) that is movable relative to first housing. See column 3, lines 61-67, and column 4, line 16. In addition Colonna teaches about a sensor producing a position signal to indicate the position of the second housing element relative to the first housing element. See column 2, lines 45-51 and Fig 2. However, Colonna does not teach a touch sensitive circuitry providing the position of a contact force applied by the user. Kim on the other hand teaches the keypad (16) performing sliding and is electrically connected to the support member (18) which includes operating electronics by contacts (19) on the rear of the keypad and electrical contacts on the front of the electrical support member (18). See Fig (3-5) and col. 2, lines 47-61.

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Colonna's portable communication device to adapt Kim's slidable keypad (16). One would have been motivated in view of the suggestion in Kim that the keypad (16) as

Art Unit: 2674

configured in Fig 3 including the contacts and the electronics associated with it satisfy the desired circuitry with respect to the contact force. The use of keypad helps the function a mobile PDA device.

Colonna has been discussed above. However, colonna does not teach a touch sensitive circuitry such that the circuitry is located on the moveable part. Tyneski on the other hand teaches a second mode of operation for handset device (100) with a flap or a front cover (104) in an open position. Tyneski discloses that by opening the flap (104), the switch located within a hinge (106) senses the change in the flap position and sends a signal to the controller section enabling a display.

Therefore, it would have been obvious to one of skilled in the art at the time the invention was made to modify Colonna's portable communication system to adapt Tyneski's sensing and sending functions done by the second mode of the operation. One would have been motivated in view of the suggestion in Tyneski that the second mode equivalently provides the desired functions to the movable part. The use of a switch doing the sensing helps function a portable communication device as taught by Tyneski.

Regarding claim 2, see Kim's Fig. 3 (13).

Regarding claim 3, see Tyneski's Fig. 2 (104)

Regarding claims 5, 9, 18, 27-28 and 31, Kim teaches the PDA device (10) including base assembly (12), slidable keypad (16), contacts and keys input buttons (22, 23, 28). See Fig 3.

Regarding claims 6 and 7, Colonna teaches about a controller (106), user interface (110) with respect to RF signals. See column 2, lines 65-67, and column 3, lines 1-7.

Art Unit: 2674

Regarding claim 8, Kim teaches the use of touch sensitive screen (27) as well as a keypad (16) which is slid out along space rails (17), and a cover (13) along with the associated switch the type of which can be electrical, mechanical and magnetic. See col.2, lines 19-61.

Regarding claims 10 and 29, Colonna teaches about different types of input devices as wells as different electronic devices such as radiotelephone and PDA. See column 2, lines 60-65. Also see column Fig 2 and 3.

Regarding claims 11, 21-26 and 30, see Colonna's Fig 2 (206, 208).

Regarding claims 12 and 16, Colonna teaches the use portable communication device including the use of speakerphone mode, which is illustrated in terms of a switching process. See col. 1, lines 5-11.

Regarding claim 13, Colonna's teaches about sensor circuitry. See Fig 8.

Regarding claims 14, 17, and 19-20, Colonna teaches about speaker (10) and radiotelephone system. See Fig 12. Colonna also teaches about, keypad (206) along with controller (106), user interface (110), and 19 and transmission of RF signals data including voice and control signals. See Fig 1, and 2.

Regarding claim 15, see Colonna's Fig 3.

### **Conclusion**

2. The prior art made of record and not relied upon is considered to applicant's disclosure.

The following arts are cited for further reference.

U.S. Pat No. 6,469,910 to Lefort

Art Unit: 2674

3. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abdulsalam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

**Any response to this action should be mailed to:**

Commissioner of patents and Trademarks


Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314**

Hand delivered responses should be brought to Crystal Park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.

  
**RICHARD HJERPE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER**

Abbas Abdulsalam

Examiner

Art Unit 2674

November, 14, 2003